



PTO/SB/21 (08-03)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/700,304
		Filing Date	October 31, 2003
		First Named Inventor	Xiang YU
		Art Unit	1632
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	10 + 36 Refs.	Attorney Docket Number	494442000400

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	MORRISON & FOERSTER LLP Jie Zhou - 52,395	(Customer No. 25226)
Signature		
Date	April 6, 2004	

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(Martina Placid)



PATENT
Docket No. 494442000400

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Martina Placid
Martina Placid

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Xiang YU et al.

Serial No.: 10/700,304

Filing Date: October 31, 2003

For: METHODS OF GENERATING GENE-SPECIFIC PROBES FOR NUCLEIC ACID ARRAY DETECTION

Examiner: Not Yet Assigned

Group Art Unit: 1632

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Pursuant to the USPTO notice dated July 11, 2003, waiving the requirement under 37 C.F.R. § 1.98 (a)(2)(i) to provide copies of U.S. Patents and U.S. Published Applications, copies of those references are not submitted. Copies of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record in the application.

Applicants note that a web page announcing LPR (linear polymerase replication) kit is included in this submission. A lot of revision history of this web page, which shows the creation date of this web page is December 30, 2002, is also included in this submission.

This Information Disclosure Statement is submitted:

- With the application; accordingly, no fee or separate requirements are required.
- Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - A fee is required. A check in the amount of __ is enclosed.
 - A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of __ is enclosed.
 - A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search

has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. §1.17(p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **494442000400**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: April 6, 2004

Respectfully submitted,

By: Jie Zhou
Jie Zhou
Registration No. 52,395

Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, California 94304-1018
Telephone: (650) 813-5922
Facsimile: (650) 494-0792

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Form PTO-1449 INFORMATION Disclosure CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>	Docket Number 494442000400	Application Number 10/700,304
	Applicant Xiang XU et al.	
	Filing Date October 31, 2003	Group Art Unit 1632
	Mailing Date April 6, 2004	

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	07/12/2001	20010007744	Chenchik et al.			
	2.	07/28/1987	4,683,195	Mullis et al.			
	3.	07/24/1990	4,943,531	Goff et al.			
	4.	04/11/1995	5,405,776	Kotewicz et al.			
	5.	07/25/1995	5,436,149	Barnes			
	6.	08/29/1995	5,445,934	Foder et al.			
	7.	08/13/1996	5,545,522	Van Gelder et al.			
	8.	04/08/1997	5,618,703	Gelfand et al.			
	9.	08/03/1999	5,932,451	Wang et al.			
	10.	11/30/1999	5,994,076	Chencik et al.			
	11.	03/05/2002	6,352,829	Chenchik et al			

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	12.	12/28/1995	WO 95/35505	WIPO			

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	13.	Aoyagi, K. et al. (2003). "A Faithful Method for PCR-Mediated Global mRNA Amplification and its Integration into Microarray Analysis on Laser-Captured Cells," <i>Biochem. Res. Commun.</i> 300:915-920.
	14.	Auer, T. et al. (1996). "Selective Amplification of RNA Utilizing the Nucleotide Analog dITP and <i>Thermus Thermophilus</i> DNA Polymerase," <i>Nucleic Acids Res.</i> 24(24):5021-5025.
	15.	Baugh L. R. et al. (2001). "Quantitative Analysis of mRNA Amplification by <i>In Vitro</i> Transcription," <i>Nucleic Acid Res.</i> 29(5):1-9.
	16.	Brenton, J.D et al. (2001). "Molecular Profiling of Breast Cancer: Portraits but Not Physiognomy," <i>Breast Cancer Res.</i> 3(2):77-80.

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DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.



Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>		Docket Number 494442000400	Application Number 10/700,304
		Applicant	Xiang XU et al.
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17.	Byang, (2002). SuperArray Bioscience Corporation. (website created on December 30, 2002). located at www.superarray.com . 3 pages.
18.	Chung, C.H. et al. (2002). "Molecular Portraits and The Family Tree of Cancer," <i>Nat. Genet. Suppl</i> 32.:533-540.
19.	ClonTECHniques Archives-January 1996: Capfinder PCR cDNA Library Construction: BD Biosciences, Clonetech Cat# (Formerly 36530) presently 556006. "CapFinder-PCR cDNA Library Construction Kit," located at < http://www.clonetech.com/archive/JAN96UPDCapFinder.shtml > Last visited on February 24, 2004. 11 pages.
20.	Constans, A. (2003). " Challenges and Concerns With Microarrays," <i>Scientist</i> 17(3):35-36.
21.	Davis, R.E. et al. (2002). "Molecular Diagnosis of Lymphoid Malignancies By Gene Expression Profiling," <i>Curr. Opin. Hematol.</i> 9(4):333-338.
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26.	Fitzgerald, D.A. et al. (2001). "Tailored Arrays," <i>The Scientist.</i> 15(18):26-28.
27.	GEArray Q Series Human Neurotrophin and Receptors Gene Array CAT# HS-018N-2, located at http://www.superarray.com/gene_array_protocol/trueLabel.pdf . Last visited on February 24, 2004. 2 pages
28.	GEArray Q Series Human Neurotrophin and Receptors Gene Array CAT# HS-023N-2, located at http://www.superarray.com/gene_array_protocol/trueLabel.pdf . Last visited on February 24, 2004. 2 pages.
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30.	Iscove, N.N. et al. (2002). "Representation is Faithfully Preserved in Global cDNA Amplified Exponentially from Sub-Picogram Quantities of mRNA," <i>Nat. Biotechnol.</i> 20(9):940-943.
31.	Lennon, G.G et al. (1991). "Hybridization Analyses of Arrayed cDNA Libraries," <i>Trends in Genetics</i> 7(10):314-317.
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33.	Liang, P. et al. (1992). "Differential Display of Eukaryotic Messenger RNA by Means of the

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		Applicant	Xiang XU et al.
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		Polymerase Chain Reaction," <i>Science</i> 257(5072):967-971.
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37.		Nguyen, C. et al. (1995). "Differential Gene Expression in the Murine Thymus Assayed by Quantitative Hybridization of Arrayed cDNA Clones," <i>Genomics</i> 29:207-216.
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